

### **REMARKS**

Favorable reconsideration and allowance of the present application is respectfully requested.

The present application is a continuation of U.S. Application Serial No. 09/133,056 (filed on August 8, 1998), which is a continuation-in-part of U.S. Application Serial No. 08/604,009 (filed on February 20, 1996). In the Office Action, the pending claims were rejected under the judicially created doctrine of obviousness-type double patenting over claims 6, 7, and 22 of U.S. Patent No. 6,730,380 to Littleton, et al. in view of U.S. Patent Application Publication No. 2002/0009561 to Weikel, et al. As indicated above, however, the effective filing date of the present application was prior to both the filing date and publication date of Weikel, et al. (i.e., August 15, 1998 and January 24, 2002, respectively).<sup>1</sup> Thus, Weikel, et al. is not available as prior art to the present application. For at least this reason, Applicants respectfully submit that the double patenting rejection is improper.

It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Nolan-Rayford is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this response.

Please charge any additional fees required by this response to Deposit Account No. 04-1403.

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<sup>1</sup> Applicants also note that Weikel, et al. has been abandoned.

Appl. No. 10/636,056  
Amdt. Dated Oct. 11, 2005  
Reply to Office Action of May 11, 2005

Respectfully requested,

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